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| 09/592,686 | 06/13/2000 | Frank Labedz | 2014.63689 | 7165 |
| 24978 | 7590 | 07/27/2005 | EXAMINER | |
| GREER, BURNS & CRAIN 300 S WACKER DR 25TH FLOOR CHICAGO, IL 60606 | | | SALAD, ABDULLAHI ELMU | |
| | | ART UNIT | | PAPER NUMBER |
| | | | | 2157 |

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/592,686 | LABEDZ ET AL. | |
| | Examiner | Art Unit | |
| | Salad E. Abdullahi | 2157 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 April 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 28-32,39-44 and 53-56 is/are allowed.
- 6) Claim(s) 1-27,33-38,45-52 and 57-70 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |



Response to Amendment

1. The amendment filed 4/28/2005 has been received and made of record.
2. Applicant's arguments with respect claims 1-27, 33-38, 45-52 and 57-70 have been considered but are not persuasive for the following reasons.

Response to Argument

3. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kardos discloses an integrated resource management and maintenance system obviously including maintenance of building facilities which include the hosts 12 which receive and/or generate work requests and scheduling requests that are transmitted in the form of messages to the message handler server 14 (clearing house) for retransmission to the mobile workforce management system 16. The message handler server 14 allows the plurality of hosts 12 to each communicate with the mobile workforce management system 16 and thus forms an integrated system (see col. 4, lines 55-65). Kardos is silent regarding: authorizing predefined events that can be performed at each client based login identity of such client. Here, Kisor provides a system for assigning tasks to client computers according to the identification and/or capability of the peer computers,

including authorizing predefined events that can be performed at each client(i.e., computer) based login identity of such client (see figs 3a-3b and 7 and col. 4, line 19-53 and col. 7, lines 4-37). Furthermore, in Kisor based on client identification predefined tasks can be performed by client computer

4. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

5. In response to applicant's argument that the references fail to show there selective authorization or operability that is a function of the log-in identity of clients. Examiner asserts Kisor discloses assigning tasks based client computer identification and/or capability. In other words tasks can be appropriately assigned a to be completed to remote computers most efficiently able to complete the task (see col. 5, lines 45-53). Thus indicating selectively assigning tasks to performed according identification of the client computer.

Claim Objections

6. Claim 68 objected to because of the following informalities: claim 68 depends to itself. Appropriate correction is required.

Allowable Subject Matter

7. Claims 28-32 and 39-44 and 53-56 are allowed.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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10. Claims 1-6, 10-27 and 47-52, and 57-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kardos et al., U.S. Patent No. 6,430,562, in view of Kisor et al., U.S. Patent No. 6,098,091.

As per claim 1, Kardos et al., discloses a system for managing operational facilities (an integrated resource management), the system being of the type which utilizes predefined events to carry out managing operations for the facilities, said system comprising:

at least one server (message handler 14) adapted to receive events (work order) from a client (customers) and forward said events to a clearinghouse (work force management system 16) via a communication link (18) (see figs. 1A, 1B and col. 4, lines 30-65);

at least one client having a unique login identity and adapted to selectively send events to said server via said communication link (see col. 11, lines 12-30, see col. 4, lines 55-65 and col. 15, line 46 to col. 16, line 20); and

a clearinghouse (i.e. work order processing system 14) connected to each said server and each said client via said communication link for selectively storing data from each server and each client in a database(col. 4, lines 30-65).

Kardos is silent regarding: authorizing predefined events that can be performed at each client based login identity of such client.

Kisor a system for assigning tasks to peer computers according to the identification and capability of the peer computers, including authorizing predefined events that can be performed at each client(i.e., computer) based login identity of such client (see figs 3a-

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3b and 7 and col. 4, line 19-53 and col. 7, lines 4-37). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Kisor into the system of Kardos such that client computer can be assigned to predetermined task according to the identification of the computer, thus ensuring predetermined events to be processed by a predetermined clients computers

In considering claim 2, Kardos et al., disclose system, wherein each said client has a visual display associated therewith, said server being adapted to access selected data from said clearinghouse and forward data to each client for display (see col. 15, lines 47-65).

In considering claim 3, Kardos et al., disclose system wherein each said client is preloaded with software means adapted to send and receive events (see col. 15, lines 47-65).

In considering claim 4, Kardos et al., discloses defining various levels of authorization for limiting access system (see col. 11, lines 12-30, see col. 4, lines 55-65 and col. 15, line 46 to col. 16, line 20).

In considering claim 5, Kardos et al., disclose system, wherein one or more of said server, clearinghouse and client include predefined templates for selected events (see col. 8, lines 44-51)

In considering claim 10, Kardos et al disclose a system, wherein said client is a mobile computing device and said communication link to said client is a wireless communication link (see col. 15, line 47, to col. 16, line 19).

In considering claim 11, Kardos et al disclose a system, wherein during reselected ones of said events an authorized client is adapted to add new data, edit existing data in said database, or exit said event (see col. 15, line 47, to col. 16, line 19).

In considering claim 12, Kardos discloses a system, wherein during said pre-selected ones of said events and authorized client is adapted to save input data from said authorized client in said database and to display data (see col. 15, line 47, to col. 16, line 19).

In considering claim 13, Kardos et al disclose a system wherein said clearinghouse selectively provides authorization to said client to request events in response to said client communicating its unique login identity to said server (see col. 11, lines 12-30, and col. 15, line 47, to col. 16, line 19).

In considering claims 14-19, Kardos et al., discloses a system, wherein each said client is adapted to request a download tasks event to said clearinghouse after authorized communication is established (see col. 11, lines 12-60).

In considering claim 20-27, Kardos et al., discloses a system, wherein each said client is adapted to request a download tasks event to said clearinghouse after authorized communication is established (see col. 11, lines 12-60).

In considering claim 47, Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

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In considering claim 48, Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

In considering claim 49, Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

In considering claim 50, Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

In considering claim 51 Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

In considering claim 52, Kardos et al., disclose a system, wherein during said work-request-processing event said authorized client is adapted to accept or reject a selected open work-request data from said list (see col. 3, line 60 to col. 4, line 65 and col. 11, line 12 -60).

In considering claim 57, Kardos et al., disclose a system, wherein during said work

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order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 58, Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 59, Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 60 Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 61, Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for

completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 62, Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 63 Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 64, Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 65 Kardos et al., disclose a system, wherein during said work order-processing (dispatching) event allows said server is adapted to display a list of all open work-order data from said clearinghouse available to said authorized client for completion when said authorized client does not identify a specific job site (see col. 22, lines 21-61).

In considering claim 66, Kardos et al., disclose a system, wherein said clearinghouse is adapted to schedule events in response to being triggered by a timer (see col. 4, lines 14-29).

As per claim 67, Kardos et al., discloses a system for managing operational facilities (an integrated resource management), the system being of the type which utilizes predefined events to carry out managing operations for the facilities, said system comprising:

at least one server (message handler 14) adapted to receive events (work order) from a client (customers) and forward said events to a clearinghouse (work force management system 16) via a communication link (18) (see figs. 1A, 1B and col. 4, lines 30-65);

at least one client having a unique login identity and adapted to selectively send events to said server via said communication link (see col. 11, lines 12-30, see col. 4, lines 55-65 and col. 15, line 46 to col. 16, line 20); and

a clearinghouse (i.e. work order processing system 14) connected to each said server and each said client via said communication link for selectively storing data from each server and each client in a database (col. 4, lines 30-65).

Kardos is silent regarding: authorizing predefined events that can be performed at each client based login identity of such client.

Kisor a system for assigning tasks to peer computers according to the identification and capability of the peer computers, including authorizing predefined events that can be

performed at each client(i.e., computer) based login identity of such client (see figs 3a-3b and 7 and col. 4, line 19-53 and col. 7, lines 4-37). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Kisor into the system of Kardos such that client computer can be assigned to predetermined task according to the identification of the computer, thus ensuring predetermined events to be processed by a predetermined clients computers. In considering claim 68 Kardos et al., disclose a system, further comprising the step of accessing, by the server, selected data from the clearinghouse to forward to client for display (see col. 15, line 57 to col. 16, line 50).

In considering claim 69, Kardos et al., discloses defining various levels of authorization for limiting access system (see col. 11, lines 12-30, see col. 4, lines 55-65 and col. 15, line 46 to col. 16, line 20).

11. Claims 7-9, 33-38, and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kardos and Kisor in view of Hull et al., U.S. Patent No. 6,487,457. As per claims 7-9, Kardos and Kisor disclose substantial features of the claimed invention as discussed above with respect to claim 1, Kardos and Kisor are silent regarding: server sends a message to a designated contact person responsive to said clearinghouse having created said notification event responsive to said event being overdue and wherein the clearinghouse retrieves said designated contact person and contact information from said database during creation of said notification event.

Hull et al., discloses a building management system, including an event notification module to send messages to designated contact person. The system further includes a database for storing contact information such E-mail address used to communicate events designated person (see col. 12, lines 65 to col. 13, line 10). Therefore, it would have been obvious to having ordinary skill in the art at the time of the invention to utilize the event notification module as taught by Hull et al., such that designated contact person for the mobile workforce of the combined system of Kardos and Kisor can be notified, thereby providing enhanced communication with mobile workforce.

In considering claim 30-32, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 33 Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 34, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 35,Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or

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inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 36 Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claims 37, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 38, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 44, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 45, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9).

In considering claim 46, Hull et al discloses a system, wherein an authorized client can input and edit database for a specific job site data (client sending various inquires or inspection request inquiring building related information (see col. 15, lines 13-49, col. 11, lines 8-64 and col. 12, line 59 to col. 13, line 9):

12. Claim 70 rejected under 35 U.S.C. 103(a) as being unpatentable over Kardos as applied to claim 1.

As per claim 70, Kardos and Kisor disclose substantial features of the claimed invention, a mobile computer device wherein said client is a mobile computing device and said communication link to said client is a wireless communication link (see col. 15, line 47, to col. 16, line 19).

Kardos and Kisor are silent regarding: the mobile device includes GBS system. Nonetheless, including GBS system to a mobile device is well known in the art and would have been an obvious modification to the combined system of Kardos and Kisor. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with the teaching of Kardos and Kisor to utilize a GBS system to detect the location of the mobile computing devices, thus ensuring that the mobile computing devices are actually at the respective expected locations.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

CONCLUSION

14. The prior art made of record and relied upon is considered pertinent to the applicant's disclosure.
15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Abdullahi Salad
Primary examiner
7/23/2005